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UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

OHASHI, Tatsuya

Group Art Unit: 1641

Serial No.: 10/538,912

Examiner: James Leslie GRUN

Filed: June 13, 2005

P.T.O. Confirmation No.: 9528

For: IMMUNOASSAY METHOD AND KIT TO BE USED THEREIN

RESPONSE TO RESTRICTION REQUIREMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Date: November 5, 2007

Sir:

This is in response to the Office Action of October 9, 2007, requiring restriction between two alleged inventions under the provisions of 35 USC § 121.

In the Action, the examiner made a restriction requirement between the inventions of **Group I** drawn to a given product (antibodies), a process using said product (immunoassay method), and an apparatus or means specifically designed for carrying out said process (kit) (claims 1-11 and 13-16); and **Group II** drawn to a given product (marker molecule protein fragments) (claim 12)..

Applicants hereby provisionally elect **Group I, that is, claims 1-11 and 13-16**, for examination on the merits in this application. Applicants reserve the right to file one or more divisional applications directed to the subject matter of the non-elected claims.

Serial No. 10/538,912
OA dated October 9, 2007
Response dated November 5, 2007

Favorable consideration of the subject application is respectfully requested.

In the event this paper is not timely filed, the undersigned hereby petitions for an appropriate extension of time. The fee for this extension may be charged to Deposit Account No. 01-2340, along with any other additional fees that may be required with respect to this response.

Respectfully submitted,

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